

UNITED STATES DISTRICT COURT

for

\_\_\_\_\_ District of \_\_\_\_\_

Del Rio Division

**DR 23CV0060**

Case No. \_\_\_\_\_

**FILED**

NOV 06 2023

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY S. J. W.  
DEPUTY CLERK

Enriqueta Diaz, et al

v

Maverick County Judge, )(

Ramsey English Cantu;

Maverick County Commissioners: )(

Precinct 2 Rosanna Rios, Precinct 3

Olga Ramos, Precinct 4 Roberto Ruiz )(

**COMPLAINT AND REQUEST FOR INJUNCTION**

**I. The Parties to this Complaint:**

**A. The Plaintiffs:**

Enriqueta Diaz

820 North Bibb, Apt. A-1

Eagle Pass, Texas 78852

Phone: 903-650-6526

E-Mail: quetahale2015@gmail.com

**B. Defendants**

- (1) Ramsey English Cantu**  
Maverick County Judge  
500 Quarry Street  
Eagle Pass, Texas 78852
- (2) Roxanna Rios**  
Commissioner Precinct 2  
500 Quarry Street  
Eagle Pass, Texas 78852
- (3) Olga Ramos**  
Commissioner Precinct 3  
500 Quarry Street  
Eagle Pass, Texas 78852
- (4) Roberto Ruiz**  
Commissioner Precinct 4  
500 Quarry Street  
Eagle Pass, Texas 78852

**II. Basis for Jurisdiction and Venue**

- A. Under 28 U.S.C. Section 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case giving the US District Court Western District of Texas jurisdiction in this case.**

**The basis for federal law court jurisdiction is a federal question on this case. No other avenue is available except through the**

federal jurisdiction.

Amendment 1: Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech or of the press; or the right of the people peaceably to assemble to petition the government for a redress of grievances. The First Amendment gives the citizens the the right to petition the government for a redress of grievances guarantees people the right to ask the government to provide relief for a wrong through litigation or other governmental action. It works with the right of assembly by allowing people to join together and seek change from the government.

The Petition sought recognizes four principles: no taxation without representation; no imprisonment without cause; no quartering of soldiers on subjects; and no martial law in peacetime.

Defendant, Ramsey English Cantu has, without judicial authority, ordered the arrest and imprisonment of Enriqueta Diaz, Petitioner organizer, arbitrarily as a complaintant, prosecutor, judge and jury without due process of law required under the United States Constitutional Amendment 4, 5, 6, and others. Exhibit A: Warrant attached and signed by County Judge Ramsey English Cantu.

Defendants have denied the 1665 legal confirmed signatures, which is more than 5% of registered voters required under Texas State Statutes Texas Government Code of Civil Procedures "Election Code Chapter 277, Section 9.004 which states 5% of the number of qualified voters of the municipality are required. Commissioner's Court at their meeting of October 10, 2023 at 3:00 p.m. denied the signatures of the Petitioners right to stop the \$24 million dollar Certificate of Obligation from the Texas Water Development Board.

### **III. Statement of Claims**

**Three Maverick County Commissioners and the Maverick County Judge denied the 1665 signatures of US Citizens and Voters of Maverick County denying the citizens' right to Petition to correct a wrong being done by a Texas County Government and allowed under the First Amendment of the United States Constitution. The issue is a \$24 million**

**dollar Certificate of Obligation loan being requested from the Texas Water Development Board, of which \$7.2 million will have to be paid through increase of property taxes. Maverick County is already in debt with a \$41 million dollar bond debt, and another \$15 million dollar bond issue that the voters are presently voting on the November 7, 2023 election.**

**A. The occurrence of the events took place at the Commissioners Courtroom located at 500 Quarry Street, Eagle Pass, Texas, by the above Plaintiffs, on October 10, 2023, at 3:00 p.m., the same day the Petition was filed and presented at approximately 11:00 a.m.**

**B. The occurrence of the events took place at approximately 3:30 p.m. during the Commissioner's Court meeting.**

**C. Facts:**

**1. Election Administrator presented the result of the verification of signatures and amount of signatures needed. Exhibit "A"**

**2. Approximately at 3:30 p.m., during the meeting, County Judge ordered the arrest of Petitioner Organizer Enriqueta Diaz arrested, even though he had no jurisdictional authority in Commissioners' Court.**

**3. County Judge ordered deputy bailiff to arrest Enriqueta Diaz and to handcuff her and detain her without due process of law**

**4. Enriqueta Diaz was detained for approximately 3-4 hours in the rain while the deputies inquired whether Ramsey English Cantu had jurisdiction in Commissioner's Court.**

**5. After finding out he had no jurisdictional authority in Commissioner's Court, Ramsey English Cantu signed and ordered and sentenced her to 24 hours of imprisonment without due process of law and her rights. Exhibit "B".**

**B. The same four Plaintiffs called for a meeting for today at 5:00 p.m., declaring an emergency of public health in order to continue insisting on getting the \$24 million dollars the Petitioners voted against**

and Petitioners complying with more than the 5% signatures required under state law in order to stop the Certificates of Obligation.

#### **APPLICATION FOR A TEMPORARY RESTRAINING ORDER**

A. The purpose of a TRO is to preserve the status quo, which we have defined as the last, actual, peaceable, non-contested status which preceded the pending controversy.

B. if the Court does not issue the requested temporary restraining order, the status quo will be irrevocably broken. County Judge Ramsey English's Cantu statements and communications indicate that he intends to carry out his plan of getting the \$24 million dollars and that nothing will stop him from doing so.

C. Citizens, residents, taxpayers, and others, will suffer irreparable injury in taxation without representation given to citizens under the US Constitution if he and the commissioners are not stopped from continued violations of citizens right to Petition under the First Amendment of the US Constitution.

D. Therefore, Plaintiff is entitled to a temporary restraining order preserving the status quo by enjoining County Judge Ramsey English Cantu and his Commissioners Court from continuing to use illegal tactics and threats of incarceration and using his judicial authority outside his Judicial authority as a Power control tactic.

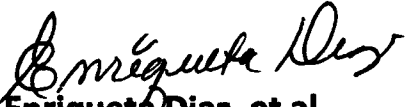
#### **APPLICATION FOR A PERMANENT INJUNCTION**

E. Plaintiff requests and seeks a permanent injunction enjoining County Judge Ramsey English Cantu from committing the *ultra vires* acts on legal registered voters that have signed the Petition against his Certificate of Obligation request.

F. Therefore, Plaintiff seeks a temporary restraining order, temporary injunction, and permanent injunction enjoining County Judge Ramsey English Cantu from any further illegal tactics in order to surcumbent the authority and right given to citizens to Petition against the government from a wrong doing.

**G. PLAINTIFF SEEKS INJUNCTIVE RELIEF**

**Respectfully submitted,**

  
**Enriqueta Diaz, et al**

**820 N. Bibb, Apt. A-1**

**Eagle Pass, Texas 78852**

**Phone: 903-650-6526**

**E-Mail: [quetahale2015@gmail.com](mailto:quetahale2015@gmail.com)**

EXHIBIT "A"



ISAMARI S. VILLARREAL

MAVERICK COUNTY ELECTIONS ADMINISTRATOR

501 MAIN ST. SUITE B, EAGLE PASS, TX. 78852 Tel : (830) 757-4175 Fax : (830) 757-4337

Honorable Judge Ramsey English Cantu  
and Court of Commissioners,

Enclosed are the results of the petition submitted by Ms. Enriqueta Diaz and Mr. Mayito Obregon for the citizens of Maverick County to call for an Election on the 7.2 million Certificate of Obligation proposed by Commissioners Court.

Petition Submitted: OCTOBER 10, 2023

Date Verified: OCTOBER 27, 2023

Signatures Required: 1,552

Signatures Submitted: 2,333

Signatures not Valid: 668

(NOT REGISTERED, DUPLICATES, INCOMPLETE, or DECEASED)

Total Valid Signatures: 1,665

Sincerely,

A handwritten signature in black ink, appearing to read "Isamari S. Villarreal", written over a horizontal line.

Isamari S. Villarreal  
Elections Administrator

EXHIBIT "B"



THE STATE OF TEXAS

V.

ENRIQUETA DIAZ

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 §
IN THE COMMISSIONERS  
COURT

OF

MAVERICK COUNTY, TEXAS

**ORDER OF CONTEMPT OF COURT****To the Maverick County Sheriff:****You are hereby commanded to arrest: Enriqueta Diaz**

Enriqueta Diaz has been found in contempt of court on October 30, 2023 in the Maverick County Commissioners Court.

You are hereby directed to hold Enriqueta Diaz in confinement at the Maverick County Jail for 24 hours commencing from the time of arrest and released no sooner. Any deviation from this Court Order can and will result in further contempt findings for any individuals interfering with this matter.

John Salinas Chief Deputy  
 Sara Montemayor  
 Maverick County Clerk

A stylized, handwritten signature in black ink.

Ramsey English Cantu  
 Maverick County Judge

Dated this 30<sup>th</sup> of October, 2023.





## **AGENDA**

**MAVERICK COUNTY COMMISSIONERS COURT  
SPECIAL MEETING  
MONDAY, NOVEMBER 6, 2023, AT 5:00 P.M. CST  
COMMISSIONER'S COURT, MAVERICK COUNTY COURTHOUSE  
500 QUARRY ST. EAGLE PASS, MAVERICK COUNTY, TEXAS**

### **ESTABLISHMENT OF QUORUM**

### **CITIZENS COMMUNICATIONS AND RECOGNITIONS**

### **CONSENT ITEMS**

1. Discussion and Appropriate Action to allow Maverick County 4H host a County Wide Meeting on November 15, 2023, at 6:00 p.m. at the Maverick County Veterans Memorial Amphitheater – County Judge
2. Discussion and Appropriate Action to allow Movimiento Familiar Cristiano Catolico-Eagle Pass, St. Joseph's have a plate sale on November 18, 2023, from 7:00 a.m. to 3:00 p.m. at the Maverick County Lake. – County Judge
3. Discussion and Appropriate Action to approve and ratify that Yazmin Chavarria have a plate sale to benefit medical expenses for her son Kevin Chavarria on Saturday, November 4, 2023, from 6:00 a.m. to 2:00 p.m. at the Maverick County Lake. – County Judge
4. Discussion and Appropriate Action to install a streetlight across 266 E. Moore Ave. – Commissioner Ramos
5. Discussion and Appropriate Action to allow Quemado 4H to use the Rodeo Arena on November 15, 2023, for a horse-riding clinic. – Commissioner Ramos

### **REGULAR ITEMS**

6. Discussion and Appropriate Action to consider and adopt an order authorizing the issuance of Maverick County, Texas Combination Tax and Subordinate Lien Revenue Certificate of Obligation, Series 2023, in the principal amount of \$7,200,000.00 and awarding the sale of such certificates to the Texas Water Development Board. – County Judge

7. Discussion and Appropriate Action to consider and adopt a Resolution authorizing and approving a grant agreement with the Texas Water Development Board in the amount of \$16,800,000.00; and resolving other matters incident and relating thereto. – County Judge
8. Discussion and Appropriate Action to adopt an order authorizing Maverick County, Texas to proceed with filing a declaratory judgement related to Certificate of Obligation pursuant to Chapter 1205 of the Texas Government Code. – County Judge
9. Discussion and Appropriate Action to approve November 10, 2023, as Veterans Day Holiday. - County Judge
10. Discussion and Appropriate Action to approve surplus property for proper disposal for Maverick County Clerk's Office. - County Judge
11. Discussion and Appropriate Action to approve surplus property for proper disposal for Maverick County Tax Office. – County Judge
12. Discussion and Appropriate Action to approve engagement letter with Cascos & Associates, PC for independent auditing services for Fiscal year ending September 30, 2023. – County Judge
13. Discussion and Appropriate Action to approve replat of Fabrica Block 13, Lot C. – County Judge
14. Discussion and Appropriate Action to approve replat of Lot 4A Gonzalez Subdivision. – County Judge
15. Discussion and Appropriate Action to transfer County Attorney Vehicle, 2010 Dodge Charger VIN# 2B3CACV7AH239370 to Constable Pct. 1 Cecilia Maldonado. – County Judge
16. Discussion and Appropriate Action to approve the setting of the salary, for the 293<sup>rd</sup> Judicial District Court for fiscal year 2024, as submitted to the Maverick County Auditor and to be effective October 1, 2023. – County Judge
17. Discussion and Appropriate Action to approve petty cash for the County Clerk's office in the amount of \$800.00 for the cash registers in this office. – County Judge
18. Discussion and Appropriate Action to approve the construction of a bulletin board for all legal posting filed in the County and District Clerks Offices this is to be paid from the Records Management Fund. – County Judge
19. Discussion and Appropriate Action to award contract for Quemado Cemetery Grounds keeping. – Commissioner Ramos
20. Discussion and Appropriate Action to request TXDOT 1500 cy of RAP material to be used on Quemado Road. – Commissioner Ramos

21. Discussion and Appropriate Action to approve surplus list for proper disposal for Seco Mines Community Center. – Commissioner Ramos
22. Discussion and Appropriate Action to approve payment of invoice 597143 from McCrometer, Inc. in the amount of \$1,485.48. – Commissioner Ramos
23. Discussion and Appropriate Action to allow Quemado Advisory Board fundraiser money to be used for future events. – Commissioner Ramos
24. Discussion Appropriate Action on status to accept Code Enforcement procedures for trash violations. – Commissioner Ramos
25. Discussion and Appropriate Action to adopt Code Enforcement Procedures for Tire Pick-Up Campaign. – Commissioner Ramos
26. Discussion and Appropriate Action to approve payment of invoice 18461 from BBO Truck Center in the amount of \$4,031.48. – Commissioner Morales
27. Discussion and Appropriate Action to approve Budget Amendments for FY 2023. – County Judge
28. Discussion and Appropriate Action to approve Budget Amendments for FY 2024. – County Judge
29. EXECUTIVE SESSION:  
CLOSED SESSION:
  1. Executive Session on matters pursuant to 551.071: Consultation with Attorney - Discussion and Appropriate Action regarding Esquenazi Dr. – Commissioner Ramos
  2. Executive Session on matters pursuant to 551.071: Consultation with Attorney - Discussion and Appropriate Action regarding Radar Base houses. – Commissioner Ramos
30. Accounts Payable
31. Warrants Pending
32. Adjournment

Dated the 3<sup>rd</sup> day of November 2023



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Ramsey English Cantu  
County Judge

## CERTIFICATE

I, the undersigned, do hereby certify that the above NOTICE OF MEETING of the above named Commissioners' Court is a true and correct copy of notice and that a true and correct copy of said Notice is posted on the bulletin board outside the Courthouse of Maverick County, Texas at a place readily accessible to the general public at all times on the 3<sup>rd</sup> day of November, 2023, and said notice remained so posted continuously for at least 72 hours proceeding the scheduled time of said meeting.

Posted: November 3<sup>rd</sup>, 2023

4:40 A.M./P.M.



Ramsey English Cantu  
County Judge

"The Maverick County Court Commissioners reserves the right to adjourn into closed session at any time during the course of the meeting to discuss any matters listed above should such action be necessary as authorized by the Texas Open Meetings Act, Texas Government Code 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.074 (Personnel Matters), 551.0725 (Deliberation Regarding Contract Being Negotiated) or 551.087 (Economic Development) and any other provision under Texas Law that permits this governmental body to discuss a matter in a closed session. Action, if any, will be taken in open session."

## MAVERICK COUNTY COURTHOUSE ACCESSIBILITY STATEMENT

This meeting site is accessible to disabled persons. There are two (2) disabled persons vehicle parking spaces reserved at the courthouse parking lot. Entrance to the courthouse is accessible.

### XC: Via-Email

County Commissioners  
293<sup>rd</sup> Judicial District Attorney  
County Clerk  
County Tax Assessor Collector  
County Treasurer  
County Attorney County Sheriff  
293<sup>rd</sup> Judicial District Judge  
365<sup>th</sup> Judicial District Judge  
District Clerk  
Department Heads  
News Media

4:40 FILED  
AT 1:00 CLOCK P.M.  
NOV 03 2023  
SARA MONTEMAYOR  
County Clerk Maverick County, Texas  
By \_\_\_\_\_ Deputy